

REMARKS

The final Office Action of **January 29, 2003**, has been received and its contents carefully noted. Applicants respectfully submit that this response is timely filed and fully responsive to the final Office Action.

Claims 1-9, 11-27 and 29-38 were pending prior to the instant amendment. By this amendment, claims 1, 6, 7, 13, 16, 17, 19, 24, 25, 30, 31, 34, 35, 37 and 38 are amended. Consequently, claims 1-9, 11-27 and 29-38 remain pending in the instant application.

Claims 1-38 [*sic* claims 1-9, 11-27 and 29-38] are rejected under 35 U.S.C. 112, first paragraph, for allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one of skill in the art that the inventor had possession of the invention at the time of filing the claimed invention. This rejection has been rendered moot by the Applicants' amendments to claims 1, 6, 7, 13, 16, 17, 19, 24, 25, 30, 31, 34, 35, 37 and 38 providing the non-narrowing amendment replacing the term "crystalline" semiconductor layer with "crystallized" semiconductor layer which is clearly discussed in the specification, at page 7, lines 29-30.

Claims 1-38 [*sic* claims 1-9, 11-27 and 29-38] are rejected under 35 U.S.C. 102(e) over the reference to Matsumoto (5,323,042). This rejection is traversed for the reasons advanced in the Applicants' Amendment of December 16, 2002 and further for the reasons set forth below.

The Examiner alleges, at page 12 of the final Office Action, that Matsumoto teaches a "display medium capable of electrically changing luminous strength" since the patentee's teaching of "a liquid crystal display (LCD) device as taught by Matsumoto reads on this broad language", particularly since the Applicants teach "his apparatus being used with a liquid crystal (LCD) device" at page 1 of the specification. For additional support for this position, the Examiner quotes the page 1 teaching "...as a display media, an object capable of electrically changing an emission

(luminous) strength can be used.” In rebuttal, the Applicants assert that the teachings of page 1 constitute a discussion of the prior art and not of the claimed invention, and further the statements therein, i.e., that a known shift register composed of TFT’s is used with conventional LCD devices, does not in any way mean that the presently claimed “...active matrix display device comprising:...a display medium capable of electrically changing luminous strength disposed at each of said pixel electrodes...” encompasses the LCD devices of Matsumoto.

In maintaining such an position the Examiner reveals a fundamental lack of understanding of characteristics, operation and functions of a LCD device and the invention presently claimed. That is, as clearly discussed in the attached copy of the “The IEEE Standard Dictionary of Electrical and Electronic Terms” Sixth Edition, page 591 (1996), an LCD is defined as an electronic display media whose “reflectance and transmittance changes when an electric field is applied to it.” To one of ordinary skill in the LCD prior art this basic definition clearly means that light is applied to an LCD from an external light source and is reflected or transmitted, but is not generated by the LCD. This principal forms the basis for the myriad of LCD devices in current use. However, this structure is not what is claimed.

The present claims clearly describe an active matrix device which comprises “...a display medium capable of electrically changing luminous strength disposed at each of said pixel electrodes...” and the LCD devices of Matsumoto are not capable of electrically changing luminous strength. That is, the active matrix device of the presently claimed invention is specifically required by the above limitation to emit light and the LCD device of Matsumoto is fundamentally incapable of such a function.

Since Matsumoto fails to teach (either implicitly or explicitly) each feature of the claimed invention, the Examiner’s rejection of claims 1-38 [*sic* claims 1-9, 11-27 and 29-38], under § 102, has been set forth in error and must be withdrawn.

Finally, if the Examiner is to maintain the above discussed position with regard to the LCD devices of Matsumoto, then the Examiner is specifically requested to provide some technical explanation or other documentary evidence supporting the


assertion that the LCD device of Matsumoto “reads on” the presently claimed active matrix device having a display medium capable of electrically changing luminous strength disposed at each of said pixel electrodes.

CONCLUSION

Having responded to all rejections set forth in the outstanding non-Final Office Action, it is submitted that claims 1-9, 11-27 and 29-38 are now in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicants’ undersigned representative.

Lastly, it is noted that a separate Extension of Time Petition (one month) accompanies this response along with a check in payment of the requisite extension of time fee. However, should that petition become separated from this Amendment, then this Amendment should be construed as containing such a petition. Likewise, any overage or shortage in the required payment should be applied to Deposit Account No. 19-2380 (740756-2070).

Respectfully submitted,

By 
Jeffrey L. Costellia
Registration No. 35,483

NIXON PEABODY, LLP
8180 Greensboro Drive, Suite 800
McLean, Virginia 22102
Telephone: (703) 770-9300
Facsimile: (703) 770-9400

JLC/JWM